**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: September 16, 2004 Name: William F. Prendergast Signature: 

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Mary Jane Kelly**

Appln. No.: **10/726,855**

Filed: **December 3, 2003**

For: **GRIPPING DEVICE**

Attorney Docket No: **12194/3**

Examiner: **Nini F. Legesse**

Art Unit: **3711**

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Amendment and Response
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

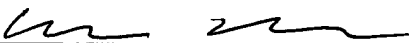
Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

9/16/04


William F. Prendergast (Reg. No. 34,699)



IFW

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Date of Deposit

William F. Prendergast

Name of applicant, assignee or
Registered Representative

Signature

Date of Signature

Our Case No. 12194/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mary Jane Kelly

Serial No. 10/726,855

Filing Date: December 3, 2003

For GRIPPING DEVICE

Examiner: Nini F. Legesse

Group Art Unit No. 3711

AMENDMENT and RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Office Action dated July 14, 2004, Applicant has timely filed this Amendment by Certificate of Mailing. Applicant respectfully requests the Examiner to withdraw the objections and rejections to this application and to grant allowance of this Application in view of the following remarks and amended claims.

Please amend this application as follows: